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DEATH PENALTY INFORMATION CENTER

FOR IMMEDIATE RELEASE: March 13, 2019
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CALIFORNIA GOVERNOR ANNOUNCES MORATORIUM ON EXECUTIONS

One-Third of U.S. Death Row Prisoners Now Under Moratorium

Calling the death penalty a failed policy that discriminates against the poor, the mentally ill, and racial minorities, California Governor Gavin Newsom today declared a moratorium on executions in the state with the nation's largest death row. Newsom implemented the moratorium through an executive order granting reprieves to the 737 prisoners currently on California's death row. He also announced that he was withdrawing the state's execution protocol—the administrative plan by which executions are carried out—and was closing down the state's execution chamber.

Robert Dunham, Executive Director of the Washington-based Death Penalty Information Center, said the California moratorium declaration "has tremendous symbolic value that adds momentum to the national trend away from capital punishment in the U.S. More than one-third of the nation's death-row population is now incarcerated in states in which Governors have said no executions will take place."

California is the fifth state to declare a moratorium on executions since 2011, joining Colorado, Oregon, Pennsylvania, and Washington. Since 2004, seven former death-penalty states have repealed their death penalty statutes or declared their statutes unconstitutional. "The death penalty is disappearing from most of the United States, both in law and in practice, especially in the West," Dunham said.

In 2018, western states imposed fewer death sentences than in any other year since the death penalty came back in California in 1978. "Eight of the 10 death-penalty states west of Texas didn't impose any death sentences," Dunham said. "California imposed a record low five death sentences and, with just two death sentences, Arizona was one off of its record low." Several western states are following up on their moratoria with action to narrow or formally abolish capital punishment. The Washington Supreme Court declared its state's death penalty unconstitutional in October 2018, and its legislature seems poised to take capital punishment off its books this year. Oregon's legislators are moving to resentence to life those currently on death row and to redefine aggravated murder to abolish the death penalty for all crimes except murders resulting from terrorist acts. The Colorado legislature is moving forward with a bill to replace the death penalty with life without parole and new governor Jared Polis has indicated that he will sign the bill. A veto-proof majority of the New Hampshire legislature is also

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expected to repeal that state's death penalty and legislative support for repeal also appears to be growing in Nevada.

California's last execution was in 2006, as legal challenges to the state's lethal-injection protocol and to the constitutionality of the state's death penalty have put executions on hold. Cost studies estimate that California now spends more than $175 million each year on capital punishment. "Death-penalty moratoria create breathing space in which states can meaningfully reassess what to do with their death-penalty statutes," Dunham said. "The governor's announcement formalizes a *de facto* moratorium that has been in place in California for more than a decade. The key question is what comes next."

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For DPIC infographics depicting the impact of the California moratorium declaration, see:
https://deathpenaltyinfo.org/images/California_Moratorium_One_Third_of_Death_RowB.png
https://deathpenaltyinfo.org/images/California_Moratorium_5_Largest_StatesB.png

The Death Penalty Information Center (www.deathpenaltyinfo.org) is a non-profit organization serving the media and the public with analysis and information on issues concerning capital punishment. DPIC was founded in 1990 and prepares in-depth reports, issues press releases, conducts briefings for the media, and serves as a resource to those working on this issue.